GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:2831
ANSWERED ON:09.08.2000
PROPERTIES OF CORRUPT PUBLIC SERVANTS
RAMESH CHAND TOMAR;SHYAMA SINGH

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Law Commission has urged the Governmentto forfeit properties acquired by corrupt public servants disproporationate to the known sources of income;

(b) if so, whether the existing laws have totally failed to check such trend; and

(c) if so, the new steps taken to root out such corruption in the country?

Answer

MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS` WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SMT. VASUNDHRA RAJE)

(a), (b) & (c): A statement is placed on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a), (b) & (c) OF LOK SABHA UNSTARRED QUESTION NO.2831 FOR ANSWER ON AUGUST 9, 2000

(a), (b) & (c): The Law Commission in its 166th Report has proposed enactment of a separate legislation to forfeit property acquired by corrupt public servants which is disproportionate to the known sources of income. The proposal is still at examination stage in consultation with the quarters concerned and no final decision in the matter has yet been taken. The Criminal Law (Amendment) Ordinance, 1944 (Ordinance No. 38 of 1944) provides for attachment of property of the accused who is alleged to have committed offences under the Prevention of Corruption Act, 1988 or any conspiracy or attempt to commit offences thereof. The property can be attached by the Special Judge during the course of trial. Subsequently, after termination of criminal proceedings and conviction of the accused, the Special Judge is empowered to forfeit the property of the convicted public servant to the Government under the aforesaid Criminal Law Amendment Ordinance, 1944.

2. The Government is fully alive to the need to provide clean administration and to eradicate the malady of corruption at all levels of public services. A three-pronged strategy of surveillance, prevention and punitive/deterrent action is followed by the Government in this regard. However, the drive against corruption in public services to check mal-practices in administration is a continuing process. The policies formulated in this regard are modified from time to time in order to make them more effective and responsive to the changing environment. The recent major steps initiated by the Government in this regard inter-alia, include introduction of the `Central Vigilance Commission Bill, 1999` for conferring statutory status on the Commission and `Freedom of Information Bill, 2000` to make Government more transparent and accountable to the public.